

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

| | | |
|--|---|----------------------|
| In the Matter of |) | |
| |) | |
| Application by Verizon Virginia, Inc., |) | |
| Verizon Long Distance Virginia, Inc., |) | WC Docket No. 02-214 |
| Enterprise Solutions Verizon Virginia, Inc., |) | |
| Verizon Global Networks, Inc., and |) | |
| Verizon Select Services of Virginia, Inc., for |) | |
| Authorization To Provide In-region, InterLATA |) | |
| Services In Virginia |) | |

REPLY COMMENTS OF US LEC CORP.

Exhibit A

August 1, 2002 Verizon Industry Letter

August 1, 2002

Subject: FCC Arbitration in Virginia

In accordance with the GTE merger conditions, Verizon previously has prepared and made available to CLECs operating in Virginia a Model Interconnection Agreement, which includes rates, terms and conditions for interconnection, network elements and/or resale. This Model Interconnection Agreement remains available to CLECs requesting negotiations in Virginia.

In addition, on July 17, 2002, the FCC issued an arbitration decision regarding interconnection negotiations between Verizon and three CLECs operating in Virginia – AT&T, WorldCom and Cox. *See Petition of WorldCom, Inc, et al., Pursuant to Section 252(e)(5) of the Communications Act for Preemption of the Jurisdiction of the Virginia State Corporation Commission Regarding Interconnection Disputes with Verizon Virginia Inc., and for Expedited Arbitration*, CC Docket No. 00-218, *et al.*, Memorandum Opinion and Order (July 17, 2002) ("*VA Consolidated Arbitration*"). The arbitration parties are now assessing the *VA Consolidated Arbitration* decision and preparing interconnection agreements in accordance with that decision. Verizon expects to file conforming agreements with the FCC as required by the *VA Consolidated Arbitration* decision. Once those agreements are signed and approved, they will be available for adoption under the Act.

In the interim, until the relevant agreement is completed and approved, CLECs in Verizon's former Bell Atlantic service territory in Virginia also may request in interconnection negotiations those service offerings and arrangements that the FCC found in the *VA Consolidated Arbitration* to be required by applicable law, but which are not currently incorporated in any existing interconnection agreement in Virginia. These service offerings and arrangements are listed on the attachment to this letter below. Verizon is sending this industry letter to advise CLECs in Virginia that Verizon will accept such requests from CLECs. The availability of these service offerings and/or arrangements is subject to the results of any rehearing or appeal of the FCC's *VA Consolidated Arbitration* order.

You may initiate relevant requests by contacting Renee Ragsdale at renee.ragsdale@verizon.com.

Attachment to Verizon Virginia Inc. Letter of August 1, 2002



ATTACHMENT TO VERIZON VIRGINIA INC. LETTER OF AUGUST 1, 2002

- Requirement to provide two-way trunking arrangements at any technically feasible point of interconnection on Verizon's network.
- Requirement to obtain state commission review before disconnecting CLEC line sharing/line splitting technology causing significant degradation of Verizon services.
- Requirement to provide access to Verizon's unbundled inside wire subloops through any technically feasible method upon CLEC's request, in addition to existing methods.
- Requirement to provide access to Verizon's unbundled subloops at Verizon's feeder distribution interface through any technically feasible method upon CLEC request, in addition to existing methods.
- Restrictions on use of unbundled dedicated transport element.
- Requirement to permit direct CLEC access to customer side of Verizon NID.
- Requirement to provide spare unbundled copper loops and subloops.
- Requirement to provide dark fiber together with any existing intermediate regenerators or amplifiers.
- Requirement to provide dark fiber routed through multiple intermediate offices.
- Requirement to search for dark fiber routes through multiple intermediate offices.
- Requirement to provide reservation procedures for unbundled dark fiber elements.
- Requirement to obtain state commission review prior to imposing limits on availability of unbundled dark fiber elements to a CLEC.
- Requirement to make available, upon CLEC request, Verizon's pre-existing spectrum management procedures.

- Requirement to make Verizon's TOPS switch available for routing blocked 911 and E911 calls.
- Requirement to provide line and station transfers for IDLC loops.
- Requirement to undertake systems development, at CLEC's expense, to accommodate non-Verizon loop qualification tools for line splitting.

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| Authorization To Provide In-region, InterLATA |) | |
| Services In Virginia |) | |

REPLY COMMENTS OF US LEC CORP.

Exhibit B

September 6, 2002 Verizon Letter to Maryland Public Service Commission

KELLOGG, HUBER, HANSEN, TODD & EVANS, P.L.L.C.

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September 6, 2002

VIA OVERNIGHT DELIVERY

Felecia L. Greer
Executive Secretary
Maryland Public Service Commission
William Donald Schaefer Tower
6 St. Paul Centre
Baltimore, MD 21202-6806

Re: In the Matter of the Arbitration of US LEC of Maryland Inc.
v. Verizon Maryland Inc. Pursuant to 47 U.S.C. § 252(b), Case 8922

Dear Ms. Greer:

At the hearing in this proceeding, Verizon's witnesses testified that, pursuant to an industry letter referenced in Verizon's section 271 application for Virginia (US LEC Exh. 6), Verizon had informed CLECs in Virginia that they could request in interconnection negotiations certain arrangements, relevant to Issues 1, 2, and 6 in this proceeding, consistent with the Wireless Competition Bureau's rulings in the *Virginia Arbitration Order*. See Hearing Trans. at 209:12 - 213:3; *id.* at 513:1 - 515:2.


On further investigation, Verizon has determined that this testimony was inaccurate. The industry letter, which was sent to CLECs in Virginia on August 1, 2002, lists 16 specific service offerings and arrangements – all of which CLECs in Virginia can request in interconnection negotiations “subject to the results of any rehearing or appeal” of the *Virginia Arbitration Order*. The listed items do *not* include the acceptance of financial responsibility for transporting traffic to a single IP per LATA (Issues 1 and 2), nor the payment of reciprocal compensation on Virtual FX traffic (Issue 6). Fifteen copies of the letter are attached hereto. Also included is an electronic copy of the letter, which is also available on Verizon's web site at: http://128.11.40.241/east/wholesale/resources/2002_industry_letters/clec/080102a.htm. Verizon hereby moves the admission of this letter into the record as VZ Exhibit 15.

Also enclosed is one extra copy of the exhibit. Please date-stamp and return the extra copy in the self-addressed, postage prepaid envelope.

KELLOGG, HUBER, HANSEN, TODD & EVANS, P.L.L.C.

Thank you for your assistance. If you have any questions, please contact me at 202-326-7959.

Sincerely,



Scott H. Angstreich

cc: Parties of Record
David L. Moore, Hearing Examiner